

DRAWING AMENDMENTS:

Three sheets of replacement drawings are attached hereto encompassing FIGS. 1, 2 and 3. The attached replacement sheets of drawings add proper hatching for the nonconductive plastic film 2. In addition, the attached sheets of drawings were enlarged slightly to better show the hatching and that a portion of the tube 1, such as about bead 5a in FIG. 1, is bare or free of the nonconductive plastic film 2 and contacts the conductive plastic tube 4.

Applicant respectfully requests that the original sheets of drawings for Figs. 1, 2, and 3 be replaced with the attached replacement sheet of drawings for FIGS. 1, 2, and 3.

REMARKS:

The foregoing amendments can cancel cel claims 1, 3, and 4 and added claims 5-19 to the application. The new claims encompass the subject matter defined in the previously presented claims and are supported in Figs. 1-3 and the accompanying discussions in the present specification disclosure. Claims 5-19 are now present in the application for consideration by the examiner.

The foregoing amendments also amended the specification. The Official action stated that the amendment to the specification filed on October 6, 2005, does not comply with the requirements of 37 C.F.R. §1.121, because it uses single brackets to indicate deleted text. In the foregoing amendments, the amendments to the three paragraphs beginning at page 2, line 16, after the heading "DISCLOSURE OF THE INVENTION," which were amended in the preliminary amendment filed on October 6, 2003 are being resubmitted. In the first amended paragraph, double strikethrough is used to delete the expression "[this bead]," which was inadvertently included in the previously amended version of this paragraph. The foregoing amendments to the specification comply with 37 C.F.R. §1.121. Accordingly, applicant respectfully submits that the foregoing amendments rectify any impropriety concerning the amendment set forth in the primary amendment filed on October 6, 2005.

Objections to the specification were included from the bottom of page 4 of the Official action through the middle of page 5. The Official action objected to the abstract of the disclosure, because line 1 thereof includes the phrase, "The object is to provide." In the foregoing amendments, applicant amended the abstract of the disclosure to remove the phrase "The object is to provide." Other editorial changes were made to the abstract of the disclosure to improve its readability.

The top of page 5 of the Official action included objections to the specification. The foregoing amendments amended applicant's specification in a manner that overcomes all the objections set forth on page 5 of the Official action. For example, applicant amended the portions of the specification indicated as allegedly mischaracterizing the invention by defining that:

"the plastic film only at the tip of the bead(s) is removed so that the circumferential surface of the bare metal pipe is exposed, and a seal member is arranged at a position nearer to the leading edge of the conductive plastic tube than the exposed region,"

and that:

"the plastic film is removed only from the tip of the beads to expose the circumferential surface of the bare metal pipe, the exposed portion is made to contact the inner surface of a conductive tube, by fusing the conductive plastic tube and the plastic coated metal tube together at a position nearer to the leading edge of the conductive plastic tube than the exposed region."

These structures are shown in FIG. 1, discussed on page 5, lines 12-16, and explained elsewhere in the present specification disclosure. In addition, the specification and claims were amended to define that the seal member can be provided along a length of the coated metal pipe adjacent the exposed metal, which is shown in any of FIGS. 1-3.

For the foregoing reasons, applicant respectfully submits that the specification disclosure, as amended above, including the abstract of disclosure is in proper format. Therefore, applicant respectfully requests that the examiner reconsider and withdraw any objection to the specification that was set forth in the outstanding Office action.

Claim objections were included in the outstanding Office action on pages 5 and 6. In addition, claims 1, 3, and 4 were rejected under 35 U.S.C. §112, second paragraph, on page 7 of the Official action. The foregoing amendments deleted claims 1, 3, and 4. Therefore, the objections and rejections of these claims as set forth in the Official action are now moot. The foregoing amendments added new claims 5-16 to the application. The new claims were written in a manner that overcomes the previously mentioned objections to the claims. Accordingly, applicant respectfully requests that the examiner reconsider and withdraw the objections to the claims, which were set forth in the outstanding Office action.

The new claims do not include the allegedly unclear expressions, which were mentioned in the rejection under 35 U.S.C. §112, second paragraph. Applicant respectfully submits that new claims 5-19 particularly point out and distinctly claim the subject matter regarded as the invention within the meaning of 35 U.S.C. §112, second paragraph. Therefore, applicant respectfully requests that the examiner reconsider and withdraw this rejection.

Page 3 of the Official action included an objection to the drawings. Three sheets of replacement drawings are attached hereto encompassing FIGS. 1, 2 and 3, which remove the objections to the drawings. The attached replacement sheets of drawings add proper hatching for the nonconductive plastic film 2, as requested in the outstanding Office action. In addition, the attached sheets of drawings were enlarged to better show the hatching and that a portion of the tube 1, such as about bead 5a in FIG. 1, is bare or free of the nonconductive plastic film 2 and contacts the conductive plastic tube 4, along the lines requested in the outstanding Office action. Based on the attached replacement sheets of drawings, applicant respectfully requests that the examiner reconsider and withdraw the objection to the drawings set forth on page 3 of the Official action.

Claims 1 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2003-206818 of Matsumoto *et al.* (Matsumoto). Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto in view of U.S. Patent No. 3,363,680 of Baker.

Applicant respectfully submits that the teachings of Matsumoto are not a reference against the claims of the present application, because the publication date of Matsumoto is after the effective filing date of the present application based on applicant's claim to foreign priority. The present application claims priority from International Application No. PCT/JP 2003/16890 filed on December 26, 2003, which claims priority from Japanese Patent Application No. 2003-103529 filed on April 8, 2003. The effective filing date of April 8, 2003 for the present application is prior to the publication date of July 25, 2003 of Matsumoto.

Applicant is attaching hereto a verified English translation of Japanese Patent Application No. 2003-103529 filed on April 8, 2003 from which the present application claims priority under 35 U.S.C. §119. The attached English translation supports the limitations set forth in the present claims. Accordingly, the effective filing date of the present application is the filing date of Japanese Patent Application No. 2003-103529, namely, April 8, 2003. Since the effective filing date of the present application of April 8, 2003 is prior to the publication date of Matsumoto, Matsumoto cannot be a reference against the claims of the present application within the meaning of 35 U.S.C. §102(a), 35 U.S.C. §102(b), or any other subsection of 35 U.S.C. §102. Since the teachings of Matsumoto were necessary in order to set forth a *prima facie* case of obviousness under 35 U.S.C. §103(a), a *prima facie* case of obviousness cannot be made for the presently claimed invention without these teachings. Therefore, applicant respectfully requests that the examiner reconsider and withdraw any rejection of the claims in this application under

35 U.S.C. §102 or 35 U.S.C. §103(a) as being unpatentable over Matsumoto, alone or in view of Baker.

In view of the foregoing amendments and remarks, applicant respectfully requests favorable consideration and allowance of claims 5-19. While it is believed that the present response places the application in condition for allowance, should the examiner have any comments or questions, it is respectfully requested that the undersigned be telephoned at the below listed number to resolve any outstanding issues.

In the event this paper is not timely filed, applicant hereby petitions for an appropriate extension of time. The fee therefor, as well as any other fees that may become due, may be charged to our deposit account No. 50-1147.

Respectfully submitted,



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Attachments:

1. Three sheets of replacement drawings encompassing FIGS. 1-3,
2. Application Data Sheet,
3. English translation of Japanese Patent Application No. 2003-103529, together with a Verification of Translation, and
4. Petition for a one-month extension of time and government fee therefor.